WARRICK COUNTY COUNCIL MEETING
COMMISSIONERS MEETING ROOM
107 W. Locust Street
Boonville, Indiana
October 5, 2017
6:00 PM

The Warrick County Council met in regular session in the Warrick County Courthouse, 107 W. Locust Street, Boonville, Indiana.

Attorney Cliff Whitehead was in attendance.

County Auditor Debbie Stevens, Chief Deputy BJ Farrell, and Secretary Kristine Georges attended and recorded the minutes.

Council President, Gary Meyer, called the meeting to order at 6:00 PM.

PLEDGE OF ALLEGIANCE

Gary Meyer: Thank you. Roll call.

Krystal Powless: Gary Meyer?

Gary Meyer: Here.

Krystal Powless: Charlie Christmas?

Charlie Christmas: Yes.

Krystal Powless: David Hachmeister?

David Hachmeister: Here.

Krystal Powless: Ted Metzger?

Ted Metzger: Present.

Krystal Powless: Brad Overton?

Brad Overton: Here.

Krystal Powless: Greg Richmond?

Greg Richmond: Here.

Krystal Powless: Paul Rudolph?

Paul Rudolph: Here.

Gary Meyer: Before we start the meeting, it seems like every meeting I'm asking you to keep your thoughts and prayers with somebody. It seems like we're doing it again tonight. It's too bad that we have to do this. But to the people in Vegas, the victims and the families, I think could use it. So if you would, keep them in mind. Hopefully we won't have to do this anymore. But it seems like the last couple months, we've had to with the hurricanes and this. So just keep that in mind.

APPROVAL OF MINUTES
SEPTEMBER 7, 2017

Gary Meyer: Okay, Approve Minutes. Regular Meeting, September 7, 2017.

Greg Richmond: Motion to approve.

Paul Rudolph: Second.

Gary Meyer: Motion made by Greg and seconded by, Paul, did you?

Paul Rudolph: Yes.

Gary Meyer: Paul to approve. All those in favor? Opposed? Motion carried seven, zero (7-0).

NEW BUSINESS
WARRICK COUNTY MUSEUM BUSINESS
REINSTATEMENT OF MONEY FOR 2018 BUDGET

Gary Meyer: Okay, next item is the Warrick County Museum Business. And the Council, I think you're aware with some emails that what we did, maybe we shouldn't have done this year. We kind of changed some funding around and the funding they were getting, we kind of eliminated thinking that the new hotel tax would cover that. But the hotel tax won't go in effect 'til 2019. Well, it goes into effect in '18 but the money won't be there 'til '19. So we'll probably need to rectify that or decide what you might want to do. I think Krystal does have an Ordinance that we could add it back in to the Economic Development so it would stay the same for one (1) more year until...

Krystal Powless: So just to clarify, you guys budgeted eight thousand one-forty ($8,140.00). In year's past, you budgeted twenty-two thousand ($22,000.00). So you would have to add an additional thirteen thousand eight-sixty ($13,860.00) to bring it back up to the twenty-two thousand ($22,000.00). And if you're in agreement with that, then I know which Ordinance we'll use at our Public Hearing.

David Hachmeister: Okay, well, I know we put the twenty-two ($22,000.00) in for Tourism.

Krystal Powless: Um hum.

David Hachmeister: Was all that for the Museum?

Krystal Powless: No. No. But they're all in the same boat in that they won't get their money this year because they won't have it to distribute.

Paul Rudolph: Do we have a listing on how that full twenty-two thousand ($22,000.00) was spent?

Krystal Powless: Larry would have that. I, and he's not here tonight.

Paul Rudolph: Cause to me, if we're...

Krystal Powless: He, I know he gave it to you at budget time. I do know that. But I don't have it with me.

David Hachmeister: Since we're allowed to...

Gary Meyer: Apparently, ten thousand ($10,000.00) of it was for the Museum.

Paul Rudolph: I thought it was twenty-five hundred ($2,500.00).

Brad Overton: Twenty-five hundred ($2,500.00).

Krystal Powless: Twenty-five hundred ($2,500.00).

Gary Meyer: That's a quarter.

David Hachmeister: Yeah, she (inaudible).

Greg Richmond: That's a quarter.

Gary Meyer: Twenty-five hundred ($2,500.00) per quarter.

Paul Rudolph: I gotcha.

Gary Meyer: Ten thousand ($10,000.00)...

Charlie Christmas: Ten thousand ($10,000.00) a year.

Gary Meyer: Do what?

David Hachmeister: Colleen came so (inaudible).

Gary Meyer: I was going to after we discussed this. So it's twenty-five hundred ($2,500.00) a quarter from what I understand.

Paul Rudolph: So my concern is ten thousand dollars ($10,000.00) is significant expenditure and I'd like to understand if we're helping to support the Museum, you know, what kind of attendance are we talking about? I'm not saying that we don't support it. But I would like to understand how many people we're impacting with the ten thousand dollars ($10,000.00) for supporting public funds.

Gary Meyer: I guess there's someone here from the Museum. Come on, would you come up here Ma'am and...

Colleen Talley: Yes.

Gary Meyer: Have some questions here for you.

Colleen Talley: Okay.

Gary Meyer: Just identify yourself if you would.

Colleen Talley: My name's Colleen Talley and I'm the secretary at the Warrick County Museum. So you were asking about how many people this would impact?

Paul Rudolph: Um hum.

Colleen Talley: I would say we average maybe twenty-five hundred (2,500) to three thousand (3,000) people, when you count school trips and kids that come into the Museum. Every year we have children from the various third grades throughout the County come in. We have a number of programs, like we're going to be having one (1) on the 28th of this month. And we have another speaker and those are regularly sold out. So, and we have been really working hard to get more people into the Museum. And we're working hard to try and get people, not just in the community to come in and see it, but outside the community to come see it. I would like to invite all of you sometime to just come to the Museum. We would be willing to give you a private tour at any time if you would just let us know so that you can really see that we, what we're doing. The money that's been coming to us through the Economic Development Commission, we use that

ALCOA, which is nearly exhausted now. So we have to, you know, work towards that every time, every year, to try and get grants. I would really just love for you all to see this kind of hidden jewel. We're really hoping that when, you know, the tourism board gets going, that we'll be able to do a lot more advertising, so that more people know about who we are and what we are and what we do to get even more people in the community. I would have to, if you want an exact figure of how many people come through the Museum this year, I could, I don't know that off the top of my head. I'm just giving you kind of a ballpark figure of what we had like last year.

Paul Rudolph: Twenty-five hundred's (2,500) a good ballpark figure. Thank you. First of all, thank you for coming and addressing the Council.

Colleen Talley: And thank you for considering, you know, our issue for this year. Hopefully we'll be able to get money through that Innkeeper's Tax next year. I think that's a great thing.

Paul Rudolph: So if I could ask you a couple more questions since you're here.

Colleen Talley: Um hum?

Paul Rudolph: What's the, the, so do you know, the people that come to visit, are they from Warrick County generally? Or are the outside?

Colleen Talley: Probably more people from Warrick County than outside. I would say there's probably maybe seventy-five (75) percent from the County and twenty-five (25) percent from outside the County. I'd have to kind of look at that. But I know that there's more people from the County. Because a lot of them are school children. And that's, you know, that's probably our biggest single block of people that come through is school children. And then the others, the ones that come a lot from outside the community, come to these events that we have. These different speakers that we have. Plus just random people who somehow find out about us through our webpage or through Facebook, something like that.

David Hachmeister: This would be a good time for you to plug for your holiday bazaar. (Inaudible).

Colleen Talley: Of course. The Holiday Bazaar and we're having Kevin Stonerock come and he's going to do a Union Soldier, his, he's called, he's called Billy the Yank. And he's coming and he's portrays an Indiana Union Soldier. He's going to give the next talk on the 28th, Saturday the 28th at 6:00PM. You're all welcome to attend.

Gary Meyer: Thank you.

Colleen Talley: Anything else?

Paul Rudolph: Just one (1) last question.

Colleen Talley: Sure.

Paul Rudolph: Do you guys charge admission?

Colleen Talley: No, we don't. We did charge admission. We charged a little basic admission of two dollars ($2.00). And you would think people would be, it wouldn't be an issue. But sometime you get like parents that will come in and have four (4) or five (5) kids and they can't afford it. So we just let them come in anyway. So we decided as a board that we would just not charge admission. And we have a big box out front and take donations. Well oddly enough, our, we get much more money from donations than charging two dollars ($2.00).

Gary Meyer: Yeah.

Colleen Talley: So somebody will come through the, through the Museum and drop a twenty ($20.00) in the box, rather than give us two dollars ($2.00). So we probably aren't going to go back to charging admission. We, it's just been, well we never expected that to happen. But that's happened.

Charlie Christmas: I've seen that kind of thing happen before.

Colleen Talley: Yeah, it's just odd. People on the board said we can't not charge an admission. And you know we said, let's just try it. So now we probably won't go back to that.

Greg Richmond: As a retired teacher who has had students use the facility and as a lifetime Warrick County, it's a part of our heritage. Something that's really neat to see and experience over and over again actually. I would move that we restore the thirteen thousand eight hundred sixty ($13,860.00) back in to Tourism-Economic Development line item.

Brad Overton: Second.

Gary Meyer: Motion made by Greg and seconded by you?

Brad Overton: Me.

Gary Meyer: Yeah, Brad.

Charlie Christmas: Brad.

Gary Meyer: Is there any further discussion? This motion is to reinstate thirteen thousand eight hundred sixty dollars ($13,860.00) into the Tourism line item of Economic Development. All those in favor? Opposed? Motion carried six, one (6-1 with Ted Metzger opposing).

Krystal Powless: And the one (1)?

Gary Meyer: Ted. Okay.

Paul Rudolph: Krystal, if you can find out what that other thirty-eight-sixty ($3,860.00) is, that'd be pretty useful. Thank

you.

Krystal Powless: (Inaudible).

PROSECUTOR BUSINESS
PRE-TRIAL DIVERSION
LAW ENFORCEMENT TRAINING-KYLE TEVAULT

Gary Meyer: Okay. Prosecutor Business, Additional Appropriation, Pre-Trial, Law Enforcement Training. Three thousand six hundred dollars ($3,600.00).

Mike Perry: Good evening.

Gary Meyer: Good evening.

Mike Perry: Mike Perry, Prosecutor. First item on the agenda for my office is thirty-six hundred dollars ($3,600.00) for Law Enforcement Training. I agreed with the Sheriff. I probably should have come to you guys first, and I apologize for that. But we had a Traffic Reconstructionist in this County who got reassigned through the State Police. He's now a detective out of Jasper, but he's still on loan to our County for purposed of traffic reconstruction. But sometimes it's going to be kind of difficult. So we had a, recently had a DUI fatality case where we had one (1) of our Sheriff's Deputies, it's a young man, Kyle Tevault, who helped with the, that case. Mr. Burkett took it to trial and we got a conviction and a prison sentence for the person responsible. So we agreed to send Kyle to Traffic Reconstruction School. I believe the thirty-six hundred ($3,600.00) and I believe Sheriff Kruse can back me up on this, represents a half investment between my office and the Sheriff's Office to make sure that our County has a qualified reconstruction expert to be able to help with such cases. That money will be coming from our Pre-Trial Diversion Fund, which I'm probably getting the cart before the horse, but hopefully we can get an Ordinance passed on that where we'll be able to do these things.

Gary Meyer: You have plenty of money in there for this?

Mike Perry: Um, Sir, I, from what I understand from my assistant that handles that program, we will probably clear close to two hundred thousand dollars ($200,000.00) in that program this year.

Brad Overton: Motion to approve.

Charlie Christmas: Second.

Gary Meyer: Motion made by Brad and seconded by Charlie to approve. Any further discussion? All those in favor? Opposed? Motion carries seven, zero (7-0).

LAW BOOKS AND LEGAL MATERIAL

Gary Meyer: Additional Appropriation, Prosecutor, Law Books and Legal Material, one thousand five hundred dollars ($1,500.00).

Mike Perry: The second issue, and I'm not sure why it's called Law Books and Legal Material, I think what it really is is money for depositions and transcripts that are being done in our most recent life without parole case that we have. It's additional expenses that we don't anticipate when we do a budget on a yearly basis. We, we kind of go with the optimistic outlook that we're not going to have crime such as this nature. But unfortunately that's not the case. So we have an additional...

Gary Meyer: Wouldn't this be like Pauper Documents?

Mike Perry: It is. It, it's to, we're splitting the cost of the transcripts with the defense essentially. Yes, Sir. Unfortunately I think this comes out of the General Fund. If that becomes a problem, again I think we have enough money in my Infraction Deferral that if we need to do so, I, and we're allowed to, I don't have any problem doing that.

David Hachmeister: I'd prefer that you'd do a transfer if possible.

Mike Perry: From our Infraction Deferral?

David Hachmeister: Yeah.

Mike Perry: Can we do that?

Krystal Powless: Well, I, that a...

Mike Perry: I mean...

Cliff Whitehead: We better wait until the next agenda item.

Krystal Powless: And if that's the case, he has to come back and advertise out of that Fund in order to do that. I don't know if approving this one (1) and then from then forward...

Gary Meyer: Oh, I see.

David Hachmeister: You in the red now on it?

Mike Perry: We owe money to one (1) of the reporting companies, yes, Sir.

Gary Meyer: I'm thinking we go ahead and do this.

Greg Richmond: I make a motion for the additional.

Brad Overton: Second.

Gary Meyer: Motion made by Greg and seconded by Brad to approve the additional of one thousand five hundred dollars ($1,500.00). Any discussion?

Paul Rudolph: I'd probably rather wait a month to tell you the truth and just do it out of the other fund.

Gary Meyer: This is going to be cleaner I think.

David Hachmeister: Who was the second on it?

Gary Meyer: Brad. All those in favor of the motion? Opposed? Motion carried five to two (5-2 with Ted Metzger and Paul Rudolph opposing). Ted and Paul.

Brad Overton: I hate to wait another month for something that's already due anyway.

Charlie Christmas: Yeah.

Brad Overton: We're kind of running into those kind of issues to begin with.

Mike Perry: I appreciate that.

ORDINANCE 2017-03 PASSAGE
PRE-TRIAL DIVERSION-DEFERRAL PROGRAM FUND

Gary Meyer: Okay Ordinance Deferral or Pre-trial Diversion Fund. This is a, I guess we have to pass some kind of an Ordinance, correct?

Mike Perry: Yes, that's what I understand.

Cliff Whitehead: Yes, that's correct. There...

Gary Meyer: Do we have it?

Cliff Whitehead: We do have the Ordinance. You should have the Ordinance in front of you.

Krystal Powless: Here, I know it was here.

Paul Rudolph: Krystal sent it out.

Krystal Powless: (Inaudible) I believe.

Gary Meyer: I guess I didn't...

Charlie Christmas: I never even seen it. I'm sorry.

Cliff Whitehead: There's a way to read the current Statute where the, the Budget Ordinance is not, is not enough for the Prosecutor to use funds from the Pre-Trial Diversion Fund. It gets even grayer if there are excess funds in that fund that have not been budgeted for as more came in as they thought. So what this Ordinance will allow the Prosecutor or any elected Prosecutor to do is he certifies that the funds will be used for one (1) of ten (10) statutorily prescribed things. Then he can submit the Claim and they can be used without having to do a separate Ordinance for each appropriation of additional funds that are in excess of the budget.

Gary Meyer: I got that.

Paul Rudolph: So just to make sure I understand, this Ordinance does not authorize the spending of funds, the Council will still have the opportunity to review any expenses before it occurs?

Cliff Whitehead: No, this Ordinance will actually give the Prosecutor the discretion to certify that if it's one (1) of the ten (10) prescribed purposes, that he can submit the claim and go around the Council.

Paul Rudolph: So the challenge I would have with that, I'm not necessarily concerned about our current Prosecutor, but this opens the door for any Prosecutor, is that for example number ten (10) is pretty wide open. Just to be clear for those in the audience, it says, 'Any other purpose that benefits the Office of the Prosecuting Attorney or Law Enforcement as agreed upon by the Council and the Prosecuting Attorney.' That could be read pretty wide open.

Cliff Whitehead: Well, but and that is correct. But he would have to come before the Council if it falls into that tenth item, that kind of a catch all provision.

Paul Rudolph: Because it says, 'Agreed upon by the Council?'

Cliff Whitehead: That's correct.

Paul Rudolph: So this, you don't think, defines that it is agreed upon by the Council?

Cliff Whitehead: I agree with that statement, yes. If he certifies it as number ten (10) then he would have to come before the Council before it can be appropriated. But if it's one (1) through nine (9), he can without having to come back to the Council.

Gary Meyer: Does he have to specify which category it falls in?

Cliff Whitehead: I think it would be good practice to do so. But he's not required by Statute or this Ordinance to do that.

Paul Rudolph: So what happens if we don't pass this? Cause personally I'm a little concerned about giving away our right to view any expense from the Pre-Trial Diversion Fund.

Cliff Whitehead: If we don't pass this then it would remain status quo. He would have to come back for every appropriation out of that fund. If it's within the budget or in excess of the budget funds.

Brad Overton: Is this not similar to what the Sheriff has with the Commissary Funds? I mean it's kind (Inaudible).

Cliff Whitehead: I don't know off the top of my head. I don't know.

Brad Overton: But I mean is that...

Brett Kruse: (Inaudible).

Brad Overton: Sheriff, would you care to come up and just kind of, I know there...

Krystal Powless: Can I ask one (1) question? Will we continue to budget the Pre-Trial Fund like we do in the past? So you will still review the budget at budget time as far as dollars that go into it, you know?

Paul Rudolph: But we wouldn't be able to make cuts, it sounds like, because it'd be at the Prosecutor's discretion, assuming he has the money.

Cliff Whitehead: That is correct.

Paul Rudolph: Or she.

Cliff Whitehead: Once the funds go in that fund, they can't go out to another fund without the Prosecutor (inaudible), that is correct.

Krystal Powless: Right. But I really don't see how that's different than what we're doing right now.

Cliff Whitehead: That's also correct. And to be clear, this Ordinance is verbatim, the Statute. Many other Counties have passed this in this form. So, but I understand your concern.

Brad Overton: Would you speak to your Commissary Fund?

Brett Kruse: That last sentence that you just quoted, Paul, that, that I believe is identical to the last sentence in the Commissary Statute for the State of Indiana. And it's anything that's not covered in the, the text before that.

Paul Rudolph: Catch all.

Brett Kruse: It's anything agreed upon by the Sheriff and the Council.

Paul Rudolph: And we don't review the Commissary budget?

Krystal Powless: No.

Paul Rudolph: So just like we don't review the Commissary budget, we probably wouldn't be reviewing the...

Krystal Powless: Well, that's why I just asked. You do review the Pre-Trial budget right now.

Paul Rudolph: Now we do.

Krystal Powless: Right, but they're saying that you still would. Is that going to change?

Cliff Whitehead: You still can. No, it does not have to change but...

Krystal Powless: So...

Paul Rudolph: But if we said the Pre-Trial Diversion budget is ten thousand dollars ($10,000.00). The Elected Prosecutor can then say, no, it's going to be thirty thousand ($30,000.00), or it's going to be fifty thousand ($50,000.00), or it's going to be eighty thousand ($80,000.00). So any number (inaudible)...

Krystal Powless: Not without...

Mike Perry: Not without your approval.

Krystal Powless: Not without your approval though.

Paul Rudolph: Oh, that's what I was trying to...

Mike Perry: I don't...

Cliff Whitehead: You would still have to approve the budget, but, but, yes, additional excess funds come in to that...

Krystal Powless: Over the budget, then it would be the Prosecutor's discretion to use those.

Krystal Powless: So like you could set their budget at a thousand dollars ($1,000.000) and they can come back every time. Okay? But if you set his budget at a hundred thousand ($100,000.00) and he, it's at his discretion to spend the

Paul Rudolph: So he can spend up to the amount we authorize?

Krystal Powless: Um hum.

Paul Rudolph: Anything else he would still need to come to the Council for...

Krystal Powless: Correct, correct.

Paul Rudolph: Or she, or whoever the person is?

Krystal Powless: That is correct.

Greg Richmond: How would this effect 2018, the budget we just put in place?

Krystal Powless: Same thing. If you approve the budget that you put in place, then anything over and above that he would have to come and ask for an appropriation for you guys to approve. As long as it fell within the Ordinance, he could go ahead and spend it.

Brad Overton: Did we ever approve anything for the Sheriff's thing?

Krystal Powless: Uh uh. The Commissary...

Mike Perry: One (1) of the reasons why, I spoke with Mr. Whitehead about getting this approved, is that we went through the budget last year to approve an amount in a line item we created for the purposes of my office donating money to law enforcement for the purposes of training and equipment. One thousand ($1,000.00) per law enforcement agencies in this community. That's Boonville, Chandler, Newburgh, the Sheriff, and the State Police. I requested those funds be disbursed per our budget amount I believe sometime in either July or August. And we're still waiting on that with this continued argument with the Auditor as to whether those are approved or not. I had to get emails that people were asking for those. They weren't asking for them, it was a donation from my office. So this, that's the purpose of this, Mr. Rudolph. It's not, I can assure you, the hot tub is not on back order for our office. What I'm trying to do is, is my philosophy as a Prosecutor is, the better the police departments and law enforcement agencies that work in this community are, the better my office is, the more protected you are. And so this is simply a step to take away a level of unwarranted intrusion into how the Prosecutor deals with funds that are not in the general balance (inaudible) Deferral.

Ted Metzger: Intrusion...hmm.

Gary Meyer: Just so I understand, Paul, in your point, anything above the amount of the budget, you would still have to come back to us.

Mike Perry: Absolutely.

Gary Meyer: Okay. And we would set that budget?

Mike Perry: Yes.

Paul Rudolph: And you agree with that?

Cliff Whitehead: I do agree with that, yes.

Gary Meyer: Okay.

Paul Rudolph: So really there's been no cha...I'm trying to understand what's truly changing from the way currently is. Cause that's what we do now.

Cliff Whitehead: Well, what's truly changing, honestly is, yeah, there's been concerns from the Auditor's Office that the certification by the Prosecutor is not enough. And this codifies, that where certification by the Prosecutor, through, if they fall in the categories one (1) through nine (9), is enough for a claim to be accepted and certified then by the Auditor's Office. So...

Mike Perry: You know there's other occasions that, because I believe that the Prosecutor's Office is, should not just be a reactive agency. I think it should be a proactive agency. That I try to donate monies from this fund to worthy causes, such as the Boonville After Prom. I think that is, is, you know, absolutely an essential program to make sure that our high school students are not putting themselves in danger. They're out someplace that is a safe place to be. I donate money to that from this fund. I have run up against a roadblock every single time I try to do that. And so this Ordinance is, is an attempt so that I don't have to stand here and take your time like I'm doing tonight you know, within the budgeted amount.

Paul Rudolph: And, Mr. Prosecutor, I want to be very clear on two (2) things, one (1) first of all I appreciate your patience in dealing with the questions.

Mike Perry: Yes, Sir.

Paul Rudolph: But secondly, I want to be clear that my questions are not directed to you as the Prosecutor. I'm concerned about a future right? I'm sure you can appreciate the...I'm sorry?

Mike Perry: I'm here forever man.

Paul Rudolph: Um...that the Pre-Trial Diversion before you were appointed had a lot less money in it today and I'm worried about a potential Prosecutor bankrupting it and spending frivolously.

Mike Perry: Absolutely.

Paul Rudolph: I'm not suggesting, you know, and doing away with a lot of the hard work you're doing right now to build that fund.

Mike Perry: Yes, Sir.

Paul Rudolph: And that, that's the question.

Mike Perry: I appreciate the concern.

Cliff Whitehead: And also there is in this Statute that requires the Prosecutor or forbids the Prosecutor from spending monies from that fund if he cannot operate the Prosecutor Deferral Program. So if he bankrupts it, then he would be violating Statute, he or she. So it does protect against that as well.

Paul Rudolph: Great.

David Hachmeister: (Inaudible).

Gary Meyer: I guess I need a motion to introduce? Correct?

David Hachmeister: So moved.

Gary Meyer: I guess, or approve?

Cliff Whitehead: Well, it's an Ordinance, so yes motion to introduce.

Gary Meyer: Motion made by David to introduce Ordinance 2017-03.

Greg Richmond: Second.

Gary Meyer: Seconded by Greg. All those in favor? Opposed? Motion carries six to one (6-1 with Ted Metzger opposing).

Krystal Powless: And the one (1)?

Greg Richmond: Ted.

Gary Meyer: Okay, Ordinance 2017-03…

Mike Perry: Thank you, Gentlemen.

Gary Meyer: An Ordinance of the County Council of Warrick County, Indiana, providing for the use of funds collected by the Prosecutor's Deferral or Pre-Trial Diversion Programs.

David Hachmeister: One (1) question, I thought we already had an '03? You positive this is right?

Greg Richmond: We have an '03 in something.

Krystal Powless: We have an '03 in Resolutions. Not an Ordinance.

David Hachmeister: Is it in Resolutions? Alright.

Paul Rudolph: I just want to say I miss the old days when you had to read the whole thing.

Gary Meyer: I don't.

Charlie Christmas: I don't.

Gary Meyer: They don't either. Okay, need a motion…

David Hachmeister: To approve?

Gary Meyer: To approve or deny.

David Hachmeister: Yeah, motion to approve.

Brad Overton: Second.

Charlie Christmas: Second.

Gary Meyer: Motion made by David to approve and seconded by…

Greg Richmond: Charlie.

Brad Overton: Whoever, doesn't matter.

Gary Meyer: Charlie. Any further discussion? All those in favor? Opposed? Motion carries six, one (6-1 with Ted Metzger Opposing).

Krystal Powless: And the one (1)?

Gary Meyer: Ted. Okay.

Mike Perry: Thank you, Sir.

Gary Meyer: Thank you.

(Ordinance 2017-03, Pre-Trial Diversion, is located on Pages 17 through 18 of these Official Minutes)

SHERIFF BUSINESS
VEHICLE REPAIR

Gary Meyer: Okay, Sheriff Business, Additional Appropriation, Sheriff, Vehicle Repair, one thousand six hundred fifty-eight dollars and three cents ($1,658.03)

David Hachmeister: Reimbursement?

Brett Kruse: Yes, for insurance.

David Hachmeister: Motion to approve.

Paul Rudolph: Second.

Brad Overton: Second.

Gary Meyer: Motion made by David and seconded by Paul to approve. All those in favor? Opposed? Motion carries seven, zero (7-0).

COMMISSARY FUND USE FOR LEGAL DEPUTY

Brett Kruse: I have one (1) more item if you have just a minute.

Brad Overton: Why not.

Brett Kruse: I sent an email and I don't know if you guys, about the attorney fees to fight a...

Gary Meyer: I saw it.

Paul Rudolph: I saw it.

Brett Kruse: I'd like to just have a, you know I don't even know if you've got to vote on it. This, that was exactly what we were just talking about on this other deal.

Paul Rudolph: The Commissary? Since you're using the Commissary Funds?

Gary Meyer: I don't think you need us, do you?

Paul Rudolph: So the one (1) question I have though...

Brett Kruse: It doesn't fall under, just like, first, and I don't know how many steps there is in the Commissary. It doesn't fall under that nine (9). It says that, with the permission of the, or consensus of the Council that anything that does not specifically state it in there, I need to come to you guys and get you to agree to that expenditure.

David Hachmeister: I'm glad for you to use Commissary.

Brett Kruse: Well, yeah, I know.

Paul Rudolph: I would agree it's a necessary expense and that you should. And I honestly think the Council probably should vote for it though if you're going to rely on that language that the Council should vote to approve.

Brett Kruse: Oh, I don't disagree with you.

Paul Rudolph: So, so, and Cliff, we don't need to put it on the, since it's not using Council funds, we need to, we don't need to advertise or anything? Do we?

Cliff Whitehead: That's correct. And just to be clear, yeah, Indiana Code 36-8-10-21, "Any other purpose that benefits the Sheriff's Department that's mutually agreed upon by the County Fiscal Body, and the County Sheriff."

Paul Rudolph: So, and just to make sure I understand, and, can you give a more public purpose, a summary of what was in your email? Just so everyone knows what we're voting on?

Brett Kruse: It's a suit that was filed against me and the Sheriff's Office. Not requesting any monetary damages, but it's opened an investigative file to have it unsealed and released publicly. And I feel like that it's a fight worth fighting regardless of what it costs, because I think Law Enforcement is entrusted with personal information throughout the course of the investigations. And I think that if we ever lose that trust of the Public, you might as well do away with Law Enforcement. So I'm asking the Council to approve me to use Commissary money to pay my Legal Deputy. Because once it goes to litigation, if it goes to litigation, there's an hourly fee of a hundred and fifty dollars ($150.00). And I would rather do that as to come to you guys for an Additional Appropriation in my Legal Fund.

David Hachmeister: We should probably put a limit though.

Paul Rudolph: There should be a financial number. Five thousand ($5,000.00), two thousand ($2,000.00), one thousand ($1,000.00).

Brett Kruse: I've been told that by my Legal Deputy, twenty-five hundred ($2,500.00) to five thousand ($5,000.00) if it goes to litigation. It's a hundred and fifty dollars ($150.00) an hour. And it may not go to litigation. But I want to be prepared if it does.

Brad Overton: I make a motion to approve five thousand dollars ($5,000.00) for so said purposes.

Charlie Christmas: Second.

Gary Meyer: Motion made by Brad and seconded by Charlie to approve five thousand dollars ($5,000.00).

Brad Overton: Out of the Commissary.

Gary Meyer: Out of the Commissary Fund for Legal...

Brett Kruse: Legal Fees.

Gary Meyer: Legal Fees.

Paul Rudolph: One (1) last question. How much do you have in the Commissary? Ballpark?

Brett Kruse: Uh...

David Hachmeister: You don't have to disclose that.

Brett Kruse: But no, but I can give you a big ballpark though. I'm going to say between seventy-five ($75,000.00) and a hundred thousand ($100,000.00).

Paul Rudolph: Okay. Thank you.

Brett Kruse: And that is, because I don't know. It varies. It bounces up and down.

Paul Rudolph: Understood.

Gary Meyer: Okay, we have a motion on the floor by Brad and Charlie to appropriate five thousand dollars ($5,000.00) out of Commissary for Legal Fees. All those in favor of the motion. Opposed? Motion carried seven, zero (7-0).

Brett Kruse: Thank you, Gentlemen.

Gary Meyer: Thank you.

RECORDER BUSINESS
POSTAGE

Gary Meyer: Recorder Business, Additional Appropriation, Recorder, Postage, six hundred dollars ($600.00). The Recorder's not here. She did send an email I guess you got.

Paul Rudolph: I have no problem with reimbursing it. Motion to approve.

Gary Meyer: Motion made by Paul to approve, is there a second?

Ted Metzger: I'll second it.

Gary Meyer: And seconded by Ted? And seconded by Ted. Any discussion?

David Hachmeister: Yeah, I thought that it was only reduced three hundred ($300.00) though, wasn't it?

Paul Rudolph: During the letter, she said that she was left with zero ($0.00) funding and an outstanding amount from 2016 in for 2017. So she's starting at zero ($0.00), where sometimes typically they're carrying a balance over. So the Recorder from the past...

David Hachmeister: Got three (3) in it. (Inaudible) cut it in half.

Krystal Powless: She left, she had left bills unpaid from the year before.

Brad Overton: That's what I was thinking.

Paul Rudolph: So we had a liability instead of an asset balance.

Ted Metzger: So she paid some bills. Yep.

Gary Meyer: Any further discussion? Okay, we have a motion by Paul and seconded by Ted. All those in favor? Opposed? Motion carried seven, zero (7-0).

BUILDING DEPARTMENT BUSINESS
VACATION PAY
BUILDING INSPECTOR

Gary Meyer: Building Department Business, Salary Ordinance, Building Inspector, two thousand five hundred twenty-six dollars and sixty-nine cents ($2,526.69).

Brad Overton: And this is all per Employee Handbook, unless I'm mistaken, and the Commissioners have already approved it.

Gary Meyer: Commissioners have already approved it.

Brad Overton: Motion to approve.

David Hachmeister: Yeah, the Handbook.

Paul Rudolph: Motion.

Gary Meyer: Motion made by Brad to approve. Is there a second?

Paul Rudolph: Second.

Gary Meyer: Seconded by Paul. Any discussion? All those in favor? Opposed? Motion carried seven, zero (7-0).

Dennis Lockhart: Thank you, Gentlemen.

Gary Meyer: Thank you.

Ted Metzger: Thank you.

Brad Overton: Have a good evening.

(Vacation Reimbursement, Building Inspector, is located on Page 18 of these Official Minutes)

COUNCIL BUSINESS
CLERK DEPUTIES

Gary Meyer: Council Business, Additional Appropriation, Clerk, Deputies, eleven thousand three hundred and fifty dollars ($11,350.00).

Krystal Powless: This is for the Deputy that you...

Gary Meyer: This is what we just hired right?

Krystal Powless: Um hum.

Brad Overton: Motion to approve.

Gary Meyer: Motion made by Brad to approve. Is there a second?

David Hachmeister: I'll second.

Charlie Christmas: I'll second it.

Gary Meyer: And seconded by, I heard David first.

Charlie Christmas: I like that, that's fine.

Gary Meyer: Any discussion? All those in favor? Opposed? Motion carried seven, zero (7-0).

ADDITIONAL APPROPRIATION
ADULT PROBATION ADMINISTRATION
BENEFITS

Gary Meyer: Additional Appropriation, Adult Probation Administration, benefits, two thousand four hundred dollars ($2,400.00).

Brad Overton: Motion to approve.

Gary Meyer: Motion made by Brad to approve and seconded by?

David Hachmeister: I'll second.

Gary Meyer: David. All those in favor of the motion? Opposed? Motion carried seven, zero (7-0).

David Hachmeister: We've already done the Salary Ordinance on the Clerk, correct?

Gary Meyer: Yes.

Krystal Powless: Yes, last meeting.

DISCUSSION ON FUND TO CLEAN UP PROPERTIES

Gary Meyer: Okay, I've got a couple items to bring up. We will be finishing this meeting and at 7:00 (PM) we'll hold a Public Hearing. But is there anybody from the public like to address the Council for any reason? (Inaudible). I've got a couple items. Commissioner Saylor called me today and wants to have the Council think about and do some research on, the Commissioners want to set up a fund that can be used to, for lack of a better term, clean up some properties that are detracting and you know, I don't know, you know, causing problems with additional property values. And his idea is to tie this to the property tax of that particular property. So what he wants us to think about is if we can even do this, set up a fund and put some 'x' number of dollars in that fund as a seed money for the first time. His thought is it will come back when the property taxes are paid into that fund. And they can use it. They said they may have to hire a private contractor or something like that, so they need some money to pay the contractor. Then if, supposedly, we get the money back. You following me?

Cliff Whitehead: I do.

Gary Meyer: He wants you, I'd like to have you look into that. Like the Council to be thinking about that. There's no time line here. He just called me today and I said, well, I'd bring it up tonight. Just let everybody be thinking about it. So it would be a fund that replenishes itself, supposedly, hopefully. But they need some up-seed money first. So if you'll look into that, cause I told him we'd investigate that.

DISCUSSION ON LATE PAYMENT TO ELECTION WORKERS

Gary Meyer: The other thing I have is our last meeting at the end of our last meeting we had some issues between the County Clerk and the County Auditor. And a couple Councilmen members wanted to wait for thirty (30) days and bring that up at this meeting. So both of them are here. I didn't know if either one (1) of you wanted to continue that discussion, bring any new information or what. I'm just doing what the minutes said to do from the last meeting.

Patty Perry: If I may, Sir.

Gary Meyer: Come up. That's fine.

Patty Perry: Patty Perry, Warrick County Clerk. I have actually, Mr. Wilbanks, the gentlemen that had not been paid, received his check on October 3rd. Unfortunately, he brought the check in along with the envelope, so I'd like to, and the envelope, the postage mark was September 27th when it was mailed. I've not opened the envelope, so I don't know the date of the check. I'll take Mrs. Stevens word that the date of the check was September 1st, I believe it was. I'd like to add though, that because of the urgency on this, and the fact that they almost went a year, and I was receiving phone calls from Mr. Wilbanks daily, I personally delivered money, his monies to him out of my own pocket. Because our Office looked bad, and I wanted to make things right, right with them. I felt like, and I think I said this last time, I felt like those checks should have been manually cut or however it is that they handle their, their bookkeeping or payroll. I was told by the Treasurer's Office, I asked her if she could stop payment on Mr. Wilbanks check. I was told by the Treasurer's Office that there was a thirty (30) day waiting period. Then Mr. Wilbanks would need to come in and sign within seventy-two (72) days, seventy-two (72) hours an affidavit on that. But he had already waited for a year which is quite sad. That's what I was told. However, I did contact the State Board of Accounts, I was told that was an Indiana Code, I believe it was, is that what you had said, Debbie? Or…?

Debbie Stevens: It's all in the email.

Patty Perry: That it was some sort of Code, however after I talked with the State Board of Accounts on October 3rd, I was advised the stopping a payment on a check, that that is a County Policy and Procedure and that that would be in their Internal Controls. So I don't know what, unfortunately I don't have a copy of their Internal Controls. I did try to obtain it and in thinking further, it would probably be the Internal Controls of the Treasurer's Office and not Mrs. Steven's Office. But in any case, I don't know if she wanted to elaborate on that or…?

Gary Meyer: Mrs. Stevens, do you want to respond at all?

Debbie Stevens: Are you done? If you're finished I'll come and address the Board.

Patty Perry: Sure. There may be some things I would like to rebut if I might.

Gary Meyer: Okay.

Debbie Stevens: Did you want to take your things?

Patty Perry: Oh, I'll just leave them there unless they're in your way.

Debbie Stevens: Alright. Thanks. Thank you, Gentlemen. I did say that I would respond. I'm, as I said, not subordinate in a situation like this, but I'm happy to answer the complaints. The first was about, let me look back to the first where she started here. Unfortunately, there's not a definitive answer to why two (2) of the Canvas Board members were paid and six (6) were not. What I can tell you is that after pulling the claims, there is a ven…for the two (2) that were paid, there's, they are required to sign as vendors, each of the individuals. So my assumption is, is we would today if we received the claims like that, we would probably send them back to the Department Head and ask them to get a signature from the vendor. And in the case of the two (2) that were paid, there was a signature on the vendor line and it was signed for them by Patty Perry. And that was fine, that was acceptable, cause it probably would have been difficult to track everyone down to get their signatures after the fact. The six (6) claims that were not paid, were recently brought to our office and the difference between the two (2) that were paid and the six (6) that were not paid was there was no signature on the vendor line. The six (6) claims that were submitted to us on August 28th, were certified and the checks were mailed on September 1st. All but one (1) of the checks as of today had not cleared. Or had cleared rather. Mr. Wilbanks check was the one (1) that was still outstanding. Mrs. Perry stated in an email on Friday, September 15th, that she personally paid him cash. If she did so, this is clearly out of the scope of her Statut…Statutory duties and it has most certainly now complicated the processes between the Auditor's Office and the Treasurer's Office. We at this point have no, we really don't have anything in this matter other than today, this moment actually, is the first I've learned of the check being returned. Or being received by Mr. Wilbanks and returned to the Clerk. So now that we have the check in hand it's actually a more simple matter. We can void it. We cannot void a check if we do not have it in our hands. In the absence of the check, it is a process that's probably throughout the State, the Treasurer would require an affidavit that just simply states by the recipient that if they receive the check after we replace the check they would be by affidavit swear they would return the check to us and not cash the second check. That's the taxpayer's protection over duplicating a payment. We did, actually, Ms. Beem, the Treasurer, did let Patty know in an email dated September 14th, that, and offered to waive the thirty (30) day waiting period, that's all in an email and I have those copies here so that you can take a look at them. And she said within a three (3), within thir…within seventy-two (72) hours she would ask for an expedited claim and within seventy-two (72) hours the gentleman would have his check. And our office was willing to cooperate with the Treasurer and accommodate that request from her. So it was just a matter of three (3) days after getting the affidavit that we would have been able to give a check. And as she stated, she paid the gentleman, and so she did get the email prior to paying him and I'm assuming that wasn't acceptable. There is only one (1) explanation, there was another part, a complaint about two (2) people who were paid through payroll, there's only one (1) explanation why our office would ever pay anyone through payroll and that is that they are sent to us by a Department Head or someone in that office. They fill out

Canvasing Board work. We pay whatever's on the payroll. And we don't go out and recruit people to be on payroll. And as far as the claim, I'm not sure why it took almost a year to discover that the six (6) Canvas Board workers were not paid. In the last meeting, Mrs. Perry told you that she did not have time to do checks and balances in her office. And I had explained prior to that, that she should be reconciling her funds on a monthly basis. And I can assure you if she had used her Transaction History Report and reconciled her December funds, her December report, they would have been able to identify all the workers, all of the poll workers that were paid from the election. And then they would have been able to identify those that may have been missed through the claim process. So it should not have taken you know another nine (9) to ten (10) months to realize that someone should have been paid but was not. And it is actually very prudent if you're paying three hundred (300) poll workers from two (2) different line items then doubles the amount that, that you're, the lines that you're re...paying from. It would be very prudent to have some checks and balances and internal controls around a person, a Department Head's expenditures. Any questions for me?

Gary Meyer: I just have a question about, did she file the claim with you in a proper time element?

Debbie Stevens: The claims we received that we were made aware of that had not been paid were in August. So those claims...

Gary Meyer: When were the original claims? Back in November?

Debbie Stevens: Well, that's where you get to the part that's not definitive because it kind of boils down to a she said, she said, kind of thing.

Gary Meyer: Well, somebody should have documentation on when a claim is submitted, shouldn't they?

Patty Perry: I do.

Debbie Stevens: Well, she would have a copy of her claim, if she doesn't have the original, she would have to by Statute maintain a copy of her claim. But the whole purpose of a Transaction History Report is to sit down and take that, just as you would your bank statement, that's what the Transaction History Report is. And every Department Head gets one (1) every month for the prior month. It's like a bank statement. You sit down, and you go though, and you make sure that you check off that every claim you submitted, or what you believe you submitted, is on that Transaction History Report for that month. That's when you catch errors or maybe you avoid paying a claim, duplicating a claim because you're reconciling your funds every month just like you would your bank account.

Paul Rudolph: I'm confused about one (1) thing.

Debbie Stevens: Yes.

Paul Rudolph: My understanding is in the past, so I'll pick on the Sheriff since he's in the back. The Sheriff would submit a claim to you, and you would either, you know, sign off and hand it to the Commissioners to get paid or you would return it with a wrong, with a pink coloring or whatever it is to the Sheriff and say, "I'm sorry, there was an issue with your claim."

Debbie Stevens: Right.

Paul Rudolph: Did that not occur...?

Debbie Stevens: Maybe the total was wrong.

Paul Rudolph: In this time? Did we not return the claim to the Clerk?

Debbie Stevens: I am making the assumption we did. Because we did not have vendor signatures.

Paul Rudolph: Gotcha.

Debbie Stevens: And when a claim is in the name of an individual, they become the vendor, which then the first line of every claim form is vended...vendor signature. If we don't have, like an invoice or something from a vendor, then we would require that signature by the individual.

Paul Rudolph: So the challenge is in this...

Debbie Stevens: Just like if you're reimbursed.

Paul Rudolph: Case, the claim may not have been or we're not sure, we can't prove either way, to put it nicely...

Debbie Stevens: Yes.

Paul Rudolph: That the claim was returned to the Clerk. So from your position it probably was returned and etcetera and you said sorry, we need these six (6) signatures. And from Mrs. Perry's position, it was not returned and so it just, it just stood in the twilight zone...

Debbie Stevens: That didn't happen.

Paul Rudolph: For ten (10) months, and that's, to me that's the root cause was that there was a process breakdown where we have two (2) Office Holders saying very different things.

Debbie Stevens: But again...

Paul Rudolph: I would say the challenge is whether or not we should need to have that assigned, but yeah.

Debbie Stevens: But again, every Office Holder's checks and balances within their own department, around the expenditures they make, is reconciling their funds the month after. That, it's so important and I know it doesn't happen. I can tell you who does reconcile, and I can tell you who doesn't, because their funds wouldn't go in the red. Or we

wouldn't get duplicate claims. Or we wouldn't be finding out ten (10) months later that a claim wasn't paid. So we, I, I know in my office when we have those issues, that the funds are not being reconciled by the Department Head. And that is an internal control within each individual office. They should have some method or process in place just like we would when we get our bank statement and we reconcile our register to the bank statement or what we believe we spend, all of our debits.

Paul Rudolph: But to be fair, if the claim had been paid, we wouldn't, the Office Holder wouldn't have had to check the claim. The question was denied and that's why there needs to be a check.

Debbie Stevens: Goes both ways, right. Whether it's paid or not paid. It should still be reconciled with the transaction history report. Any other questions for me? I have the emails where we did explain. I'll just leave that with you, where Ms. Beem did explain the process of the affidavit and the fact that she could not void a check. That she would have to have the affidavit first.

Patty Perry: Can I ask on the email too, that if Mrs. Stevens would point out where it said that they would waive the thirty (30) day waiting period?

Debbie Stevens: (Inaudible). I think I had highlighted it that it was here.

Patty Perry: I don't see anywhere in here, Mrs. Stevens, where it said you would waive that.

Debbie Stevens: Okay, that was in Judy's email. Okay, here. She says, "There is a thirty (30) day wait period. I will be happy to forward to Mr. Banks the affidavit..." she goes on to say, "Once the executed form is received by the Auditor, the Treasurer's Office will stop payment on the original check. After seventy-two (72) hours, the check is reissued." So she's saying, in three (3) days she would reissue the check.

Patty Perry: I'm sorry, no she's not. There is nowhere in that email that she said that she would waive the thirty (30) days. I, Gentlemen, I will let you read it. Am I misinterpreting that? And I asked Mrs. Stevens where, what am I missing in the email? She, Ms. Beem never said that she would waive the thirty (30) day waiting period. As far as the claims go, on, they were received in November of 2016, is when those claims were received. I can assure you, had I received claims back to my office on any of our election workers, I would immediately have gotten a...I'm so upset I'm shaking at this. I would have immediately gotten a signature on that claim to get that individual paid. That, our office does not work like that. I have, I'm not asking to be reimbursed for what I paid Mr. Wilbanks. I will get the check back to Debbie and her office so that they can void it and so that her records are not in any way...but you know my records are messed up because of her.

Gary Meyer: Okay.

Patty Perry: So I will be happy to give this back to her, after I make a copy and attach it to my claim.

Ted Metzger: Excuse me, Patty, can you say specifically why your records are messed up because of Debbie?

Patty Perry: Yes, I...

Ted Metzger: Specifically.

Patty Perry: Exactly, because our people weren't paid. Okay. Let me say, maybe I used a poor choice of words, Mr. Metzger. But I will, our records, because our office, there are people out there that weren't paid for almost a year. So that makes our office look bad. I went out personally and apologized to the Wilbanks and they assured me that they were, first of all, I have, I'd like to pass this out. Copies of the receipt and also what was written by the Wilbanks.

Ted Metzger: Thank you.

Patty Perry: And they would also, they assured me that if called on for the next election, they'd be happy and willing to work.

Ted Metzger: But my question was, specifically, what did Debbie, or Debbie's office do that caused this to fall through the cracks?

Patty Perry: She didn't pay the claims.

Ted Metzger: And you're just saying she willingly just didn't pay the claims?

Patty Perry: No, I did not say that, Mr. Metzger. The claims were submitted to her office...

Ted Metzger: Um hum.

Patty Perry: And they were not paid. Two (2) were paid. Six (6) were not.

Ted Metzger: So why would she pay two (2) and not the other six (6)? Okay. I'm having trouble following what happened here.

Patty Perry: I am too.

Ted Metzger: And with the lack of documentation, it's hard to prove anything.

Patty Perry: What, I can give you any documentation you want.

Ted Metzger: Well...

Paul Rudolph: I think what our Clerk is trying to suggest, Ted, that the original claim, which our Auditor admits to receiving, could have been paid in November, rather than denying it. Now, there was a breakdown between the two (2)

Clerk suggests she doesn't remember receiving it. We don't know who's right. But it's possible that the original six (6) could have be approved and certified without the signature that was missing. And so if, and you know, it's the kind of thing where all of our hands are a little dirty here. Long story short, we have six (6) people that were not paid and it's, that's not a good situation. But there was a breakdown of controls. I really think the real questions is, is could the six (6) have been paid from the original, from the original submission?

Gary Meyer: I'm not sure this Council needs, can make a determination, who's fault, where this happened, or why it happened, or anything like that. That's not, I don't think that's our call. I would hope to see that this never happens again. That's, that's all I'm asking.

Patty Perry: I as well.

Gary Meyer: And that's all, that's all I care about. I'm not sure since we've got a lot of she said, she said issues, I'm not sure this Council can decide where the breakdown was. There was obviously a breakdown somewhere. And if we can get control of that...

Charlie Christmas: Has the man been paid?

Patty Perry: Yes, Sir.

Charlie Christmas: Has he got his money? It's over with.

Patty Perry: Yes.

Charlie Christmas: It's over with, it's done. We don't need to go over it. You know?

Gary Meyer: It's over with Charlie but I'd like to emphasize I don't want to see this happen again.

Charlie Christmas: I don't want it to happen anymore.

Patty Perry: I...

Gary Meyer: Since we can't determine where the breakdown was, everybody kind of has to be aware of this and make sure that it doesn't happen again.

Charlie Christmas: I agree with you there.

Patty Perry: I have an example. Patricia Griffin, we submitted the claim on November 15, 2016. And she was paid. And then also Mike Griffin was submitted the same time. What Mrs. Stevens mentioned about the payroll, she only had the payroll paperwork? Did you have the claim that was submitted from our office as well?

Debbie Stevens: (Inaudible). There's no fiscal matter here. I'm done. I've explained everything I'm going to.

Gary Meyer: Okay.

Debbie Stevens: (Inaudible).

Gary Meyer: Okay. Thank you for that.

Patty Perry: Any further questions for me?

Gary Meyer: No.

Patty Perry: Thank you, Sir.

Gary Meyer: Thank you very much.

Greg Richmond: (Inaudible) transfer.

UPCOMING COUNCIL MEETING

Gary Meyer: Okay I've got one (1) more item and then Krystal has a couple of things. Our next meeting for the public would be, to note it, October 19th. That's when we adopt the budget at 5:00 (PM). That's a Thursday. I'm assuming it's two (2) weeks from tonight.

Krystal Powless: Correct.

Gary Meyer: Correct. At 5:00 (PM). The regular meeting will be November 2nd at 6:00 (PM).

Brad Overton: What did you just say? Did you say October 19th?

Gary Meyer: Yes.

Brad Overton: Okay.

Gary Meyer: October 19th at 5:00 (PM). That's the adoption of the budget.

Krystal Powless: Let me make sure we have that right.

Paul Rudolph: Why are we doing it at 9:00 (PM) instead of our normal 6:00 (PM)?

Gary Meyer: 5:00 (PM).

Paul Rudolph: I know but why, if that, sorry, what I meant to say was why are we doing it at 5:00 (PM) instead of our normal 6:00 (PM)?

Krystal Powless: Well, you can't change it now, Paul.

Paul Rudolph: I understand. I'm just curious why.

Krystal Powless: Well, we've always adopted the budget at 5:00 (PM).

Gary Meyer: We always adopt the budget early.

Charlie Christmas: We wanted, we wanted to confuse you.

Paul Rudolph: Alright.

Gary Meyer: I can't, I don't have the real reason.

David Hachmeister: So we're out of here before 10:00 (PM).

Gary Meyer: Yeah.

EMERGENCY MANAGEMENT TRANSFER

Gary Meyer: Krystal, do you have two (2) items?

Krystal Powless: (Inaudible).

Charlie Christmas: Krystal.

Krystal Powless: Yes. Well, I actually only have one (1) item.

David Hachmeister: Transfer.

Krystal Powless: It's a transfer for EMA. He's asking a transfer from his Equipment line item to Tires and Tubes. Um...where's my transfer? How much is it guys? It's in front of you.

David Hachmeister: One thousand dollars ($1,000.00).

Gary Meyer: One thousand dollars ($1,000.00).

Charlie Christmas: A thousand dollars ($1,000.00).

Krystal Powless: Thank you. One thousand dollars ($1,000.00).

Greg Richmond: Motion.

Charlie Christmas: Second.

Gary Meyer: Motion made by Greg to approve the transfer of EMA for one thousand dollars ($1,000.00), and seconded by Charlie. Any discussion? All those in favor? Opposed? Motion carried seven, zero (7-0).

INFORMATION ON TRANSFER FOR THE CORONER'S OFFICE

Krystal Powless: The only other thing I had, I had placed that transfer on your desk for you to review of Sarah's, for the Coroner's office but you don't have to approve it. It was just for your information.

Gary Meyer: Okay. Any other Councilmen have anything to bring up?

Paul Rudolph: I just have one (1) quick thing. So with it being the baseball playoffs, Evansville does not have a professional baseball team. But I would like to wish good luck to every baseball team that's in three hundred nine (309) miles of where we're situated right now. Give or take.

Gary Meyer: Is that a motion?

Paul Rudolph: I just trying to personally let them know that people here are thinking about (inaudible) baseball teams.

Gary Meyer: I got you. We got it. We got it.

Paul Rudolph: Any teams still left in the play-offs within three hundred nine (309) miles.

Gary Meyer: Yeah.

Charlie Christmas: You should thought of a half mile added to that. Three hundred nine miles and a half (309 ½).

Paul Rudolph: Give or take.

Charlie Christmas: Okay.

Gary Meyer: Okay. Need a motion.

David Hachmeister: Motion to adjourn.

Gary Meyer: Meeting's adjourned.

(October Additional Appropriations are located on Page 19 of these Official Minutes)

ADJOURNMENT: Meeting adjourned at 7:03 PM.

WARRICK COUNTY COUNCIL

Gary Meyer, D.D.S., President

David Hachmeister

Ted Metzger

Paul Rudolph

Greg Richmond, Vice President

Brad Overton

Charles R. Christmas

ATTEST:

Deborah K. Stevens, Auditor
Warrick County, IN

Minutes transcribed by Kristine Georges

ORDINANCE NO. 2017 - 03

AN ORDINANCE OF THE COUNTY COUNCIL OF WARRICK COUNTY, INDIANA PROVIDING FOR USE OF FUNDS COLLECTED BY THE PROSECUTOR'S DEFERRAL OR PRETRIAL DIVERSION PROGRAMS

WHEREAS, the Office of the Prosecuting Attorney of Warrick County (the "Prosecutor's Office") has the authority to establish pretrial deferral and diversion programs, which would allow the withholding of prosecution in certain cases;

WHEREAS, I.C. § 33-37-8-6 provides that funds derived from a deferral program or pretrial diversion program may only be disbursed by the adoption of an ordinance appropriating the funds for one (1) or more statutory purposes; and

WHEREAS, the Prosecutor's Office administers pretrial deferral and diversion programs, pursuant to I.C. § 33-39-1-8(d) ("Deferral and Diversion Programs") and collects funds derived therefrom.

NOW, THEREFORE, BE IT RESOLVED by the Council as follows:

Section 1. Funds derived from the Prosecutor's Office's administration of the Deferral and Diversion Programs ("Deferral and Diversion Program Funds") may be disbursed in accordance with guidelines adopted by the prosecuting attorneys council pursuant to I.C. § 33-39-8-5 and for one (1) or more of the following purposes:

(1) Personnel expenses related to the operation of the program.

(2) Special training for:

a. A prosecuting attorney;

b. A deputy prosecuting attorney;

c. Support staff for a prosecuting attorney or deputy prosecuting attorney; or

d. A law enforcement officer.

(3) Employment of a deputy prosecutor or prosecutorial support staff.

(4) Victim assistance.

(5) Electronic legal research.

(6) Office equipment, including computers, computer software, communication devices, office machinery, furnishings, and office supplies.

(7) Expenses of a criminal investigation and prosecution.

(8) An activity or program operated by the prosecuting attorney that is intended to reduce or prevent criminal activity, including:

a. Substance abuse;

b. Child abuse;
c. Domestic violence;
d. Operating while intoxicated; and
e. Juvenile delinquency.

(9) The provision of evidence based mental health and addiction, intellectual disability, developmental disability, autism, and co-occurring autism and mental illness forensic treatment services to reduce the risk of recidivism in a program administered or coordinated by a provider certified or licensed by the division of mental health and addiction or the division of disability and rehabilitative services with expertise in providing evidence based forensic treatment services.

(10) Any other purpose that benefits the office of the prosecuting attorney or law enforcement and that is agreed upon by the Council and the prosecuting attorney.

Section 2. The Deferral and Diversion Program Funds may be used by the Prosecutor's Office, at its discretion, upon certification by the duly elected prosecutor of Warrick County that the Deferral and Diversion Program Funds will be used only in accordance with Section 1, above.

Section 3. Any Deferral and Diversion Program Funds remaining at the end of the year do not revert to any other fund but shall remain in the specific funds for the Deferral and Diversion Program Funds.

Section 4. This Ordinance shall be in full force and effect upon passage

Adopted this 5 day of October, 2017.

WARRICK COUNTY COUNCIL

Gary Meyer, President
Charles R. Christmas
Paul Rudolph
Ted Metzger

Greg Richmond, Vice President
David Hachmeister
Brad Overton

ATTEST: this 5 day of October, 2017.

Debbie Stevens, Auditor

Prescribed by the Department of Local Government Finance
Approved by State Board of Accounts

County Form No 144

(6)

STATEMENT OF SALARIES AND WAGES
PROPOSED TO BE PAID OFFICERS AND EMPLOYEES
CALENDAR YEAR 2017

Building Department
(Name of Office, Department, Board or Agency)

Warrick County, Indiana

The following statement shows the salaries and wages proposed to be paid to officers and employees of the above named office, department board or agency during the calendar year: 2017

FULL TIME SALARIED OFFICERS AND EMPLOYEES

Title of Position or Employee Classification	Number	Rate of Monthly Salary	Total Annual Salaries
Building Inspector	1		2,526.69
Totals	1		2,526.69

PART TIME AND HOURLY RATED EMPLOYEES

Title of Position or Employee Classification	Rate of Pay*
	Per Hour
	Per Hour
	Per Hour
	Per Hour

*Show rate of pay per month, week, day, hour, etc.

Submitted by: (Signature)
Date: 9/12/2017
Commissioner (Title)

Notes:
(1) This statement must be filed IN DUPLICATE with the County Auditor on or before July 1 each year for salaries and wages to be paid in the ensuing year.
(2) The number and salaries to be paid full time officers and employees must be fixed by the County Council. The rates of pay for part time and hourly employees shall likewise be fixed by the County Council but the number to be employed is limited only by the funds appropriated therefore; thus, the amount to be requested in the budget for part time and hourly employees need not be included in this statement.
(3) The County Auditor shall complete the reverse side of this form and return one copy to the officer or head of the department, board or agency within 3 days after action thereon by the County Council.

Sec. 1 Be it ordained (resolved) by the Warrick County Council, Warrick County, Indiana, that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds named and for the proposed specified, subject to the laws governing the same:

FUND	APPROPRIATION NUMBER	DESCRIPTION	AMOUNT REQUESTED	AMOUNT REQUIRED\
Pre-Trial	2504-000-4380.00	Law Enf. Training	$3,600.00	3,400
Total Pre-Trial			$3,600.00	
Prosecutor	1000-108-4331.00	Law Books	$1,500.00	1,500
Total Prosecutor			$1,500.00	
Clerk	1000-101-4112.10	Deputies	$11,350.00	11,350
Total Clerk			$11,350.00	
Adult Probation Admin.	2000-000-4120.00	Benefits	$2,400.00	2,400
Total Adult Probation Admin.			$2,400.00	
Recorder	1000-104-4322.00	Postage	$600.00	600
Total Recorder			$600.00	
Sheriff	1000-113-4365.00	Vehicle Repair	$1,658.03	1,658.03
Total Sheriff			$1,658.03	

Taxpayers appearing in the meeting shall have a right to be heard. The additional appropriations as finally made will be referred to the State Board of Tax Commissioners. The Board will make a written determination as to the sufficiency of funds to support the appropriations made within fifteen (15) days of receipt of a Certified Copy of the action.

Adopted this _____ day of _____, 2017

AYE	NAY
David Hackmeister	
Paul C. Riddell	
[illegible]	[illegible] County Museum - Prosecutor Pre-Trial
Greg Richmond	
Charles R. Christmas	
Brad Overton	

ATTEST:

Deborah Stevens Deborah Stevens

Auditor Warrick County